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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| INVENTORS: **James Savoie**<br>**Pedro G. Filipowsky**<br>SERIAL NO.: 09/844,970<br>FILED: April 27, 2001 | ATTY DKT NO. P-3032.01(UTI)<br>GROUP ART UNIT: 2161<br>EXAMINER: Merilyn P. Nguyen |
| TITLE: **AUTOMATED DATABASE PUBLISHING AND INTEGRATED MARKETING SYSTEM AND PROGRAM** | |
| TO: Mail Stop AF<br>Commissioner of Patents<br>P. O. Box 1450<br>Alexandria, VA 22313-1450 | |

**CORRECTION TO RESPONSE TO FINAL OFFICE ACTION DATED JUNE 2, 2005**

This is in follow-up to a telephone conference with Examiner Nguyen regarding the wrong Serial No. indicated on the Response to Final Office Action Dated June 2, 2005, which was mailed to the U.S. Patent and Trademark Office by Express Mail No. EV 298841970US on November 1, 2005. Serial No. 10/759,647 was indicated in error, and the Response was filed in that case instead.

Attached hereto is:

1. A copy of the Office communication from the U.S. Patent and Trademark Office stating that a duplicate amendment for U.S. Patent Application Serial No. 10/759,647 had been received. Attached to that Office communication is a copy of the first page of the amendment filed which indicates:

    a. that the title of the invention for which the amendment/response was intended is AUTOMATED DATABASE PUBLISHING AND INTEGRATED MARKETING SYSTEM AND PROGRAM and the inventors are James Savoie and Pedro G. Filopowsky, that the filing date was April 27, 2001, that the Attorney Docket Number is P-3032.01(UTI) and that the examining

attorney is Merilyn P. Nguyen. In other words, that the amendment was intended, but for an erroneous serial number, for the instant application;

b. that the Office received the amendment/response on November 1, 2005, prior to the expiration of the second-month extension of time to respond; and

c. that payment of $225.00 for the second-month extension of time had been received by the Office.

2. A copy of the originally-filed RESPONSE TO FINAL OFFICE ACTION DATED JUNE 2, 2005 wherein the serial number has been corrected by hand; and

3. A clean copy of the RESPONSE TO FINAL OFFICE ACTION DATED JUNE 2, 2005 which is identical to the original, filed November 1, 2005, in all respects except with a corrected Serial Number.

Applicants respectfully request that the enclosed RESPONSE TO FINAL OFFICE ACTION DATED JUNE 2, 2005 be accepted effective November 1, 2005; the date of mailing of the original Amendment/Response.

If, however, it is not permissible to grant Applicants the November 1, 2005, Applicants requests credit for the payment of $225.00 dated November 3, 2005, credited to Deposit Account 07-2400 and further requests a three-month extension of time to respond. Please charge Deposit Account 07-2400(3032.01) for any required extension fees or other fees associated with this filing.

If additional information is needed, please call the undersigned.

Respectfully submitted,

JACKSON WALKER, L.L.P.
112 E. Pecan, Suite 2100
San Antonio, TX 78205
(210) 978-7700
(210) 978-7790

By _____
Mark H. Miller
Regis. No. 29,197

**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450", as follows:

| 37 CFR 1.8(a) | 37 CFR 1.10 |
|---|---|
| [ ] With sufficient postage as First Class Mail.<br>Date: _____, 20__ | [ ] As "Express Mail Post Office to Addressee", Mailing Label No. EV298841997 45<br>Date: ~~November~~ December 1, 2005 |

Belen Longoria
Signature of Person Mailing Paper or Fee

Belen Longoria
**Printed Name of Person Mailing Paper or Fee**

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 10/759,647 | 01/16/2004 | Gregory Lynch | P-124656.1 (UTI) | 8072 |

7590 11/03/2005

Daniel D. Chapman
Ste. 2100
112 E. Pecan St.
San Antonio, TX 78205

| EXAMINER | |
|---|---|
| GUTMAN, HILARY L | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 3612 | |

DATE MAILED: 11/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## DETAILED ACTION

### *Response to Amendment*

1. The amendment filed on 9/9/05 is a duplicate of the after final amendment filed 8/2/05 which has already been entered. For that reason, this amendment of 9/9/05 will not be entered.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hilary Gutman whose telephone number is 571-272-6662.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on 571-272-6659. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hilary Gutman
October 28, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| INVENTORS: **James Savoie**<br>**Pedro G. Filipowsky**<br><br>SERIAL NO.: 10/759,647<br><br>FILED: April 27, 2001 | ATTY DKT NO. P-3032.01(UTI)<br><br>GROUP ART UNIT: 2161<br><br>EXAMINER: Merilyn P. Nguyen |
| TITLE: **AUTOMATED DATABASE PUBLISHING AND INTEGRATED MARKETING SYSTEM AND PROGRAM** | |
| TO: Mail Stop AF<br>Commissioner of Patents<br>P. O. Box 1450<br>Alexandria, VA 22313-1450 | |

## RESPONSE TO FINAL OFFICE ACTION DATED JUNE 2, 2005

This communication is responsive to a Final Office Action dated June 2, 2005. The Applicant respectfully requests that the following amendments be entered pursuant to the provisions of 37 CFR 1.116(b) and for reconsideration and withdrawal of the rejections and to issue a Notice of Allowance.

Please accept this request for a two-month extension of time to respond. Enclosed is a check in the amount of $225.00 pursuant to 37 C.F.R. § 1.17(a)(2).

Please charge Account 07-2400 for any additional extension and/or fee required or credit for any excess fee paid.

**Amendments to the Abstract** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks** begin on page 9 of this paper.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| INVENTORS: **James Savoie**<br>**Pedro G. Filipowsky**<br>SERIAL NO.: ~~10/759,647~~ 09/844,970<br>FILED: April 27, 2001 | ATTY DKT NO. P-3032.01(UTI)<br>GROUP ART UNIT: 2161<br>EXAMINER: Merilyn P. Nguyen |
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**Amendments to the Abstract** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks** begin on page 9 of this paper.

## AMENDMENTS TO ABSTRACT

A system to assist ~~The present invention allows~~ a seller in creating ~~to create~~ product catalogues using a database and a separate pagination program. Information regarding specific, desired products is collected from the database. It is modified by Markup Interchange Format ("MIF") code wherein directives are added that determine what information will be included in the final catalogue. The MIF code file is formatted so that it is compatible with the pagination program, and the resulting file is flowed directly to the pagination program. This method and computer program reduces the likelihood of errors, redundant work, and costs for automated processing of catalogues. The resulting file provides data and the specifications useful for creating a formatted, printable or viewable output.

## AMENDMENTS TO CLAIMS

1. (Canceled)

2. (Canceled)

3. (previously presented) A method for creating a computer file readable by a pagination program for generating an output, comprising:

accessing a computer database;

identifying a record stored in said computer database;

adding a field directive to said record, wherein said field directive contains an instruction to said pagination program directing how said pagination program will format said output;

retrieving said record from said computer database;

adding computer code to said record to create said computer file, wherein said computer code makes said computer file readable by said pagination program;

transferring said computer file to said pagination program where said output can be generated;

identifying a first recipient of said output;

obtaining said first recipient's address information;

determining a number of orders made by said first recipient;

determining a monetary value of orders made by said first recipient;

determining a recency of orders made by said first recipient;

storing said number of orders;

storing said monetary value of orders;

storing said recency of orders;

calculating a first set of statistics regarding said number of orders, monetary value of orders, and recency of orders; and

determining whether to transfer said output to said first recipient based upon said first set of statistics.

4. (Original) The method of Claim 3, further comprising:

identifying a second recipient of said output;

obtaining said second recipient's address information;

determining a number of orders made by said second recipient;

determining a monetary value of orders made by said second recipient;

determining a recency of orders made by said second recipient;

storing said number of orders made by said second recipient;

storing said monetary value of orders made by said second recipient;

storing said recency of orders made by said second recipient; and

calculating a second set of statistics regarding said second recipient's number of orders, said second recipient's monetary value of orders, and said second recipient's recency of orders;

ranking said first recipient versus said second recipient based upon said first and second sets of statistics; and

transferring said output to the higher ranked as between said first recipient and said second recipient.

5. (Canceled)

6. (Canceled)

7. (Previously presented) A computer program having control logic stored therein, said control logic, when executed, enabling a computer to generate a computer file containing a record received from a computer database, add a field directive to said computer file, and convert said computer file to be compatible with a pagination program to develop an output, said control logic comprising:

accessing means for enabling said computer to access said record from said computer database;

coding means for identifying said record contained in said computer database;

coding means for adding at least one field directive, wherein said field directive provides an instruction to said pagination program [to said pagination program] directing how said pagination program will format said output;

coding means for converting said record into a computer file readable by said pagination program;

coding means for transferring said computer file to said pagination program;

coding means to identify a first recipient of said output;

coding means to obtain said first recipient's address information;

coding means to determine a number of orders made by said first recipient;

coding means to determine a monetary value of orders made by said first recipient;

coding means to determine a recency of orders made by said first recipient;

coding means to store said number of orders;

coding means to store said monetary value of orders;

coding means to store said recency of orders;

coding means to calculate a first set of statistics regarding said number of orders, monetary value of orders, and recency of orders; and

coding means to determine whether to transfer said output to said first recipient based upon said statistics.

8. (Original) The computer program of Claim 7, further comprising:

coding means to identify a second recipient of said output;

coding means to obtain said second recipient's address information;

coding means to determine a number of orders made by said second recipient;

coding means to determine a monetary value of orders made by said second recipient;

coding means to determine a recency of orders made by said second recipient;

coding means to store said number of orders made by said second recipient;

coding means to store said monetary value of orders made by said second recipient;

coding means to store said recency of orders made by said second recipient; and

coding means to calculate a second set of statistics regarding said second recipient's number of orders, said second recipient's monetary value of orders, and said second recipient's recency of orders;

coding means to rank said first recipient versus said second recipient based upon said first and second sets of statistics; and

coding means to transfer said output to the higher ranked as between said first recipient and said second recipient.

9. (Canceled)

10. (Canceled)

11. (Canceled)

12. (Canceled)

13. (Previously presented) A method of converting a record of a first product stored in a computer database into a computer file readable by a pagination program, comprising:

controlling a computer system to create a file template;

controlling said computer program to select said record of said first product from among multiple product records stored in said computer database;

using said file template to add a field directive to said record of said first product, said field directive containing instructions used by said pagination program for formatting an output;

adding computer code to said record of said first product in order to create a computer file that is readable by said pagination program;

transferring said computer file to said pagination program;

said file template further comprising:

a first field directive containing Aframe information, wherein said Aframe information comprises a computer file name of an image stored in said database and associated with said first product, a computer path to said image, and an Aframe identification code;

a second field directive containing table information, wherein said table has instruction used by said pagination program to set the number of columns of said output, the widths of each of said columns, the contents of a header of each of said columns, the contents of a row, a subheading title, closing tags for said table, and a table identification code; and

a third field directive containing text flow information, wherein said text flow information comprises said first product's manufacturer, said first product's group, said first product's subheading, said first product's sales point, said first product's features, said first product's Aframe identification code, and said first product's table identification code.

14. (Original) The method of Claim 13, further comprising:

adding said first field directive, said second field directive, and said third field directive to each of a group of records of at least 20 products stored in said computer database and converting said group of records into a computer file readable by said pagination program.

15. (Canceled)

16. (Original) A computer-readable medium containing instructions for controlling a computer system for adding field directives to a record of a product stored in a computer database readable by a pagination program, by:

controlling said computer system to create a file template, wherein said file template contains:

a first field directive containing Aframe information, wherein said Aframe information comprises a file name of an associated image stored in said database, a path to said associated image, and an Aframe identification code;

a second field directive containing table information, wherein said table information comprises a number of columns of said output, widths of each of said columns, contents of a header of each of said columns, contents of a row, a subheading title, closing tags for said table, and a table identification code; and

a third field directive containing text flow information, wherein said text flow information comprises said product's manufacturer, said product's group, said product's subheading, said product's sales point, said product's features, said product's Aframe identification code, and said product's table identification code;

controlling said computer program to select said record;

using said file template to add said first field directive, said second field directive, and said third field directive to said record;

controlling said computer system to select said record contained in said computer database to be converted;

adding computer code to said records in order that said computer file will readable by said pagination program; and

transferring said computer file to said pagination program.

17. (Canceled)

18. (Canceled)

19. (Canceled)

20. (Canceled)

21. (Canceled)

22. (Canceled)

23. (Canceled)

24. (Canceled)

## REMARKS

Applicant has considered all points made by the examining attorney in the Office Action and has responded to same in order to ensure compliance with the applicable rules.

The examining attorney has determined that claims 3, 4, 7, 8, 13, 14, and 16 are allowable over the prior art of record. The applicant thanks the examining attorney for the allowed claims. Applicant has canceled rejected claims 1, 2, 5, 6, 9-11, and 17-24.

It is submitted that the proposed amendments comply with 37 C.F.R. § 1.116 and should therefore be entered, and with their entry that the application is now in condition for allowance. Such action therefore is respectfully requested.

Respectfully submitted,

JACKSON WALKER, L.L.P.
112 E. Pecan, Suite 2100
San Antonio, TX 78205
(210) 978-7700
(210) 978-7790

By _____
Mark H. Miller
Regis. No. 29,197

## CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450", as follows:

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| [ ] With sufficient postage as First Class Mail.<br><br>Date: _____, 20__ | [ ] As "Express Mail Post Office to Addressee", Mailing Label No. EV 918841970 45 S<br><br>Date: November 1, 2005 |

Belen B. Longoria
Signature of Person Mailing Paper or Fee

BELEN B. LONGORIA
**Printed Name of Person Mailing Paper or Fee**

JACKSON WALKER L.L.P.

ATTORNEYS AT COUNSELORS

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Austin Dallas Ft. Worth Houston Richardson San Angelo San Antonio

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Dallas, Tx

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PAY TO THE ORDER OF Assistant Commissioner for Patents

Req. # 341886

Richard Herlan

AUTHORIZED SIGNATURE

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| Disb ID 6912957 | C/M# 303032.00001 | PATF | PAYEE: Assistant Commissioner for Patents; REQUEST#: 341886; DATE: 11/1/2005. - Response to Office Action and Requesting a 2 month extension fee (File P-3032.01 UTI) | | | 225.00 |

P-3032/01 UTI (mhm) Date: November 1, 2005

In re Application Of: James Savoie and Pedro G. Filipowsky
Serial No.: 10/759,647
Title: AN AUTOMATED DATABASE PUBLISHING AND INTEGRATED MARKETING SYSTEM AND PROGRAM

The date stamp and serial number of the U.S. Patent and Trademark Office will acknowledge receipt of:

[ x ] Response to Final Office Action Dated June 2, 2005
[x] Certificate of Mailing
[x] Check in the amount of $225.00
[x] Acknowledgment postcard.
**Express Mail Label No.EV 298841970 US**